

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

V.

CIVIL ACTION NO. CO2010-2429CD

PATRICIA A. SNELL

DEFENDANT

**ORDER GRANTING PLAINTIFF
RIGHT OF IMMEDIATE TITLE AND POSSESSION**

This day this cause having come on to be heard on the motion *ore tenus*, of Plaintiff, Mississippi Transportation Commission, for an Order granting said Plaintiff the right of immediate title and possession and entry upon the land sought to be condemned and as described in Exhibit "A" attached hereto and incorporated herein, and it appearing that the report of the Court-appointed appraiser has been filed with the Clerk of this Court showing the sum of \$17,400.00, as total compensation and damages for the taking of the Defendant's land, proper notice of said appraisal report having been given to the Court and to the Defendant as required by law, the Court has reviewed the Court-appointed appraiser's appraisal and considered the same, finds said Motion is well-taken and that Plaintiff is entitled to immediate title and possession of and entry upon the land described in Exhibit "A" attached hereto.

The Court further considered the Motion *ore tenus* of the Plaintiff for the payment of the Appraiser's fee of One Thousand Dollars to Gene Norwood, Court-appointed appraiser, who was appointed by Order of this Court dated November 9, 2010, and filed on November 10, 2010.

The Court finds that said appraiser has filed with this Court and the Clerk of this Court the

FILED

original and two copies of the report of the appraiser, which has been reviewed and is subject to the review

CERTIFIED A TRUE COPY

DEC 10 2010

DALE K. THOMPSON, CIRCUIT CLERK
BY D. Thompson D.C.



DEC 10 2010

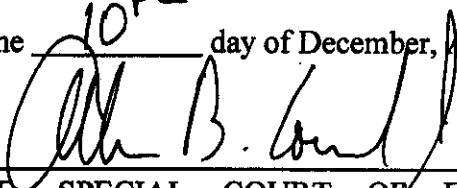
DALE K. THOMPSON
CIRCUIT COURT CLERK

of this Court, and further, that said fee for such services is reasonable and is hereby approved for payment.

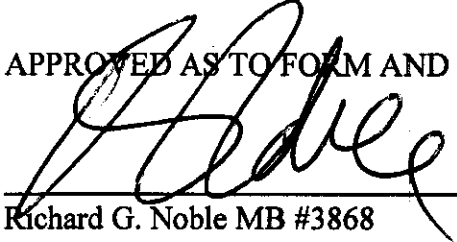
IT IS, THEREFORE, ORDERED AND ADJUDGED that Plaintiff, Mississippi Transportation Commission, be and it is hereby granted immediate title and possession and entry upon the lands sought to be condemned as described in Exhibit "A" attached hereto and in the complaint filed herein, provided only that said Plaintiff first deposit with the Clerk of this Court not less than eighty-five percent (85%) of the amount of compensation and damages as determined by said court-appointed appraisal, as provided by Section 11-27-85, as amended, Mississippi Code of 1972 Annotated.

IT IS FURTHER ORDERED AND ADJUDGED that the Clerk tax as costs herein and the Plaintiff pay unto Gene Norwood, for services as Court-appointed appraiser, the sum of \$1,000.00.

SO ORDERED AND ADJUDGED on this the 10th day of December, A.D., 2010.


JUDGE, SPECIAL COURT OF EMINENT
DOMAIN

APPROVED AS TO FORM AND ENTRY:


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014-2-00-W

IN THE SPECIAL COURT OF EMINENT DOMAIN
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. 002010-2429-CD

WILLIAM A. SNELL, SR., ET UX PATRICIA ANN SNELL

DEFENDANTS

EXHIBIT "A"

INDEXING INSTRUCTIONS: SW 1/4 of the NE 1/4 of Section 34, T-2-S, R-7-W, Desoto County, Mississippi.

The following descriptions are based on the Mississippi State Plane Coordinate System, West Zone, NAD 83/93, grid values, using a combined scale factor of .999954285 and a grid to geodetic azimuth angle of (+) 00 degrees 14 minutes 09 seconds developed at the approximate center of Project No. STP-0029-02(013) 102556/201000. It is the intent of this description to convey that portion of the Defendants' property lying within the proposed right-of-way as defined by said project.

Commencing at an iron pin (found) set in concrete, said monument recognized as the southeast corner of Section 32, Township 2 South, Range 7 West, Desoto County, Mississippi said point having a coordinate value of N 1950311.875, E 2410209.071 on the above referenced coordinate system; from the **Point of Commencement**, thence run North 68 degrees 55 minutes 07 seconds East a distance of 8733.05 feet to a 1/2 inch rebar set at the northwest corner of a 3.27 acre tract conveyed to the Defendants' as recorded in Book 360, page 294 of the records of the Chancery Clerk's Office of Desoto County, Mississippi and being the **Point of Beginning** of the parcel herein described;

- From said **Point of Beginning** run thence along the Defendants' north property line South 89 degrees 34 minutes 40 seconds East a distance of 661.42 feet, to a 1/2 inch rebar set in the fence running along the western right of way line of Douglas Road, being the Defendants' northeastern property corner;
- Thence run along the Defendants' eastern property line and fence, South 01 degrees 19 minutes 07 seconds West a distance of 52.80 feet to a 1/2 inch rebar found at its intersection with the south right of way line of the above referenced project, said point being 225 feet right of and perpendicular to, the centerline of said project at its centerline station 204+65.56;
- Thence along the proposed south right of way line South 86 degrees 36 minutes 05 seconds West a distance of 374.17 feet, to 1/2 inch rebar found 230 feet right of and perpendicular to, the project centerline at its station 201+00;
- Thence along the proposed south line of the above referenced project South 87 degrees 16 minutes 58 seconds West a distance of 287.21 feet to a 1/2 inch rebar found at its intersection with the Defendants' western property line;

- Thence along the Defendants western property line North 00 degrees 07 minutes 46 seconds East a distance of 93.46 feet, more or less, to the **Point of Beginning**, containing 1.12 acres, (48,955 square feet), more or less, and situated in the Southwest Quarter of the Northeast Quarter of Section 34, Township 2 South, Range 7 West, Desoto County, Mississippi.

Together with any and all abutters rights of access, if any, in, to, over, on and across the lands as described.

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.